

REMARKS**INTRODUCTION**

In accordance with the foregoing, claims 1, 9 and 19 have been amended.

Claims 1-21 are pending and under consideration, with claims 3-6, 16, 18, and 21 having been indicated as including allowable subject matter. No new matter has been entered.

CLAIM REJECTION UNDER 35 U.S.C. § 103:

Claims 1-2, 7-15, and 17 are rejected under 35 U.S.C. 103(a) as being obvious over PAPI (Prior Art of Present Invention) in view of Francis et al. (FR 2669180). This rejection is respectfully traversed.

Claims 1 and 9 have been amended for clarifying of the present invention.

The Office Action acknowledges that PAPI fails to disclose a rotatable camera support at least one of the plurality of cameras and a camera support member for a supporting the rotatable camera above the panel supporting member. However, the Office Action sets forth that Francis et al. discloses rotatable camera support (6,7,8, of figure) to rotatably support at least one of the plurality of cameras.

By way of review, Francis et al. discloses that “a recessed rotating plate 1 for carrying the card to be inspected,- an axially mobile carriage 5 which carries the rotating plate,- a camera carrying carriage 6 situated at a level lower than that of the plate-carrying carriage and axially movable along an axis perpendicular with respect to the of the plate-carrying carriage.”

However, contrary to the Office Action suggestion, Francis et al. fails to disclose “a rotatable camera support to rotatably support at least one of the plurality of cameras in circumferential direction with respect to at least another one of the plurality of cameras.” as recited in claim 1.

In addition, it is respectfully noted that the proffered motivation for combining the cited references is based solely on the Examiner’s opinion and conclusion that the combination would have been obvious “for the purpose of inspecting accurately entire the object with high speed.”

However, here, the Office Action has only set forth deficiencies of PAPI and features of Francis et al., and proposed that the combination would disclose the claimed invention, without

any objective evidence that PAPI needed or desired the features of Francis et al., or that PAPI would be modifiable to provide the same. Further, the Office Action has failed to provide the required evidenced motivation for such a combination. The mere benefit of a feature in one reference is insufficient motivation for its combination with other references.

In view of the above comments, it is respectfully submitted that none of the PAPI or Francis et al., separately or combined, teach or suggest a rotatable camera support as recited in independent claim 1.

In addition, as the Office Action appears to base the rejection of independent claim 9 on similar rationale as independent claim 1, and with independent claim 9 including features similar to independent claim 1, with differing scope and breadth, it is respectfully requested the rejection of independent claim 9 also be withdrawn and independent claim 9 be allowed.

Furthermore, claims 2, 13-14, and 17 which depend from claims 1 and 9, respectively, also are deemed allowable at least due to their dependency on corresponding claims. Therefore, withdrawal of the rejection of these claims is also respectfully requested for at least the reason that claims depend from claims 1 and 9 and these claims be allowable.

Regarding claim 7, the Office Action acknowledges that PAPI fails to disclose at least one additional rotatable camera support. However the Examiner asserts that it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine a panel inspection apparatus of PAPI with at least one additional rotatable camera support.

By way of review, Francis et al. fails to teach or suggest "wherein the second camera supported by the rotatable camera support is provided so as not to interfere with the first camera supported by an adjacent one of the rotatable camera supports while being rotated." as recited in claim 7.

Further to the above, as a general rule, "Rejection of patent application for obviousness under 35 U.S.C. §103 must be based on evidence comprehended by language of that section, and search for and analysis of prior art includes evidence relevant to finding of whether there is teaching, motivation, or suggestion to select and combine references relied on as evidence of obviousness; factual inquiry whether to combine references must be thorough and searching, based on objective evidence of record." In re Lee 61 USPQ2d 1430 (CA FC 2002)(vacating a decision by The Board of Patent Appeals and Interferences ("Board") of the USPTO, which upheld an examiner's rejection where the motivation for a specific combination was not supported by the record; the vacated holding of Board was based on the premise that "[t]he

conclusion of obviousness may be made from common knowledge and common sense of a person of ordinary skill in the art without any specific hint or suggestion in a particular reference.")

A prima facie obviousness rejection requires evidenced motivation from something in the record that would lead one skilled in the art to combine the relevant teachings, noting that the mere fact that the prior art may be modified in a particular manner does not make the modification obvious unless the prior art suggested the desirability of that modification.

Accordingly, it is respectfully submitted that neither PAPI nor Francis et al. either alone or in combination, teach or suggest how to combine panel inspection apparatus recited in claim 7.

Regarding claim 8, the outstanding Office Action sets forth that PAPI fails to teach the second camera supported by the rotatable camera support is provide so as not to interfere with an adjacent one of the rotatable camera support while being rotated. However, the Office Action asserts that Francis et al. teaches a second camera supported by the rotatable camera support so as not to interfere with the first camera supported by an adjacent one of the rotatable camera support while being rotated.

By way of review, Francis et al. teaches only an "axially mobile carriage 5 which carries the rotating plate." It is unclear how the Office Action alleges that Francis et al. teaches or suggests the second camera support by the rotatable camera support is provided so as not to interfere with the first camera supported by an adjacent one of the rotatable camera support while being rotated, as sets forth in claim 8.

Accordingly, it is respectfully submitted that neither PAPI nor Francis et al. either alone or in combination, teach or suggest how to combine the panel inspection apparatus recited in claim 8.

Regarding claim 10, the outstanding Office Action sets forth that Kubota et al. fails to disclose the camera support member supporting the rotatable camera support, a predetermined distance away from the panel supporting member. However, the Examiner asserts that Francis et al. teaches that it is known in the art to provide the camera support member (6 of figure 2) supports the rotatable camera support (7,8 of figure 2) a predetermined distance away from the panel supporting member.

Again, further to above, as a general matter, in order to establish a prima facie obviousness rejection, the Examiner needs to provide both the existence of individual elements corresponding to the recited limitations, and a motivation to combine the individual elements in

order to create the recited invention. Both the individual elements and the motivation need to be shown to have existed in the prior art. Should the Examiner fail to provide evidence that either one of the individual elements or the motivation does not exist in the prior art, then the Examiner has not provided sufficient evidence to maintain a prima facie obviousness rejection of the claim. MPEP 2143.03.

Thus, the burden is initially on the Examiner to provide evidence as to why one of ordinary skill in the art would have been motivated to combine the individual elements to create the recited invention, and to demonstrate that this evidence existed in the prior art.

As an example, MPEP 2143.03 refers to In re Koltzab, 55 USPQ2d 1313 (Fed. Cir. 2000). In In re Koltzab, the Federal Circuit agreed with the Patent Office and the Examiner that the prior art, as a whole, disclosed each of the individual elements of the recited invention, which was an injection molding machine. However, the Federal Circuit held that “a rejection [for obviousness] cannot be predicated on the mere identification in [one of the prior art references] of individual components of the claimed limitations.” Instead, the Federal Circuit held that “particular findings must be made as to the reason the skilled artisan, with no knowledge of the claimed invention, would have selected these components for combination in the manner claimed.” Id. at 1317. As such, in order to establish a prima facie obviousness rejection of a claim, the Examiner needs to both provide this particular evidence of the motivation to make the combination, and show that this evidence existed in the prior art. MPEP 2141.03.

As mentioned above, Kubota et al. fails to disclose “a plurality of cameras installed above the display panel.” Further more, Francis et al. fails to teach or show panel support member recited in claim 10. As such, it is respectfully submitted that neither Kubota et al. nor Francis et al. either alone or in combination, teach or suggest how/why to combine the panel inspection apparatus recited in claim 10.

Regarding claim 11, The Office Action sets forth that PAPI discloses “the size of the display panel is not larger than the camera scope of each of the plurality of cameras.”

However, it is noted that, even assuming arguendo that PAPI sets forth that the size of the display panel is not larger than the camera scope of each of the plurality of cameras, since Francis et al. does not disclose or suggest “a rotatable camera support to rotatably support at least one of the pluralities of cameras”, it is further respectfully submitted that the combination of PAPI and Francis et al. does not disclose or suggest the features as recited in claim 11.

In addition, claims 12 and 13, which depend from claim 9, are also submitted to be

allowable for at least the same reasons as claim 9, as well as for the additional recitations therein.

Claims 19-20 are rejected under 35 U.S.C. §103(a) as being unpatentable over PAPI (Prior Art of Present Invention) in view of Kishimoto et al. (U. S. Patent No. 4,894,551).

Claim 19 has been amended for clarifying of the present invention.

Regarding claim 19, the Office Action sets forth that PAPI fails to disclose a plurality of rotatable camera supports for providing to rotatably support and rotate the at least one of the plurality of first cameras and at least one of the plurality of the second cameras. However, the Office Action asserts that Kishimoto et al. teaches that it is known in the art to provide a plurality of rotatable camera supports for providing to rotatably support and rotate the at least one of the plurality of first cameras and at least one of the second cameras.

By way of review, Kishimoto et al. discloses "Retainers 308-1, 308-2 are mounted to the arms 306-1, 306-2 retractably, each by a piston shaft. Detectors 309-1, 309-2 are mounted on lower portions of the retainers 308-1, 308-2 respectively with a variable mounting angle 0, and supports 310-1, 310-2 are fixed on upper portions of the retainers 308-1, 308-2 in parallel with the reference axis 301." (col. 14, lines 37-43). As mentioned above, Kishimoto et al. discloses light detector 309-1 and 309-2 but fails to "a plurality of rotatable camera supports provided to rotatably support and rotate the at least one of the plurality of first cameras in circumferential direction with respect to at least another one of the plurality of first cameras and at least one of the plurality of second cameras in circumferential direction with respect to at least another one of the plurality of second cameras" as recited in claim 19.

As such, for at least the above reasons, it is respectfully submitted that claim 19 is allowable over PAPI and Kishimoto et al., or any hypothetical combination thereof, and withdrawal of this rejection and allowance of this claim is earnestly solicited.

In addition, claim 20, which depends from claim 19, is also submitted to be allowable for at least the same reasons as claim 19, as well as for the additional recitations therein.

OBJECTION OF CLAIMS 17-22:

At page 7 of the Office Action, claims 3-6, 16, 18, and 21 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. However, reconsideration of claims 3-6, 16, 18, and 21 is respectfully requested based upon the reasons

mentioned above.

CONCLUSION:

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

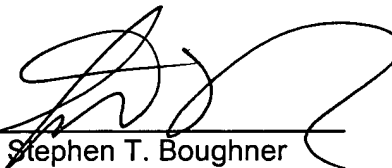
Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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Date: 9/29/05

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